

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-1913

WILLIAM A. TENNANT,

Petitioner,

versus

CONSOLIDATION COAL COMPANY; DIRECTOR, OFFICE
OF WORKERS' COMPENSATION PROGRAMS, UNITED
STATES DEPARTMENT OF LABOR,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(01-777-BLA)

Submitted: January 31, 2003

Decided: March 12, 2003

Before NIEMEYER and SHEDD, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Robert F. Cohen, Jr., COHEN, ABATE & COHEN, L.C., Morgantown, West
Virginia, for Petitioner. William S. Mattingly, JACKSON & KELLY,
P.L.L.C., Morgantown, West Virginia, for Respondents.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

William A. Tennant seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's denial of black lung benefits pursuant to 30 U.S.C. §§ 901-945 (2000). Our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Accordingly, we affirm on the reasoning of the Board. See Tennant v. Consolidation Coal Co., No. 01-777-BLA (BRB June 24, 2002). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED